IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO.1256 of 2006

Vanita A. Kriplani .. Petitioner

versus

Anil P. Kriplani .. Respondent

...

Mr.R. Narula with Mr.A. Dasgupta i/b M/s.Jhangiani Narula & Associates for the petitioner.

Ms.Manjula Rao for the respondent.

**CORAM : D.G. KARNIK, J**

**DATED : 1st March 2006.**

P.C.:

1. This Writ Petition is directed against the order dated 16th January 2006 passed below Exhibit-50 in the Marriage Petition.

2. The petitioner is the wife of the respondent.

The respondent has filed a petition for divorce against the petitioner in the Family Court at Bandra, Mumbai wherein an application was made by the petitioner for an interim alimony. At the hearing of the application for interim alimony, an application was made at Exhibit-50 was made by the petitioner for a direction to direct the respondent to produce two documents viz. (a) passport and (b) statement of account of the respondent's company viz. Aniven (Nigeria)Limited with Society General Bank, Lagos, Nigeria. By the impugned order, application has been rejected.

3. After hearing the learned counsel for the parties, I am satisfied that the application does not deserve to be granted. I see substance in the admission of the learned counsel for the respondent that production of the original passport is sought with a view to prevent the applicant respondent from travelling. If the passport is produced in the court, respondent obviously would not be able to travel out of the country. Learned counsel for the respondent states that the xerox copies of the passport have already been filed in the court. I therefore, see considerable force in the submission of the learned counsel for the respondent that the application for production of the

passport is made with an oblique motive.

4. Production of statement of account of Aniven (Nigeria) Limited in the Society General Bank is sought from the petitioner. It is not disputed that Anivan(Nigeria) Limited is a limited company. I have perused the application Exhibit-50. It does not disclose the relationship between the respondent and the Company. It is not shown that the respondent is in a position to produce statement of bank account of a third party. Furthermore, the statement of account of the company would not disclose the income of the respondent as such.

5. In the circumstances, there is no merit in the petition which is hereby rejected summarily.

**(D.G. KARNIK, J)**